

**THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS’ ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA ON TUESDAY, JANUARY 3, 2006. THE MEETING CONVENED AT 7:00 P.M.**

**MEMBERS PRESENT:**

- Chairman Perry L. Morris
- Vice Chairman Johnnie Sampson, Jr.
- Commissioner Lee Kyle Allen
- Commissioner George N. Brown, Jr.
- Commissioner Bill Harper
- Commissioner M. Renée Sisk
- Commissioner Leon C. Staton

**STAFF PRESENT:**

- Harold Blizzard, County Manager
- George B. Sawyer, Assistant County Manager
- Richard F. Hemphill, County Finance Officer
- Ray H. Moser, Human Resources Director
- Gwendolyn M. Bryan, Clerk to the Board
- James R. Sugg, County Attorney

Following an invocation by Commissioner Brown and the Pledge of Allegiance, Commissioner Brown moved to approve minutes of the December 19, 2005 regular session and the December 9, 2005 reconvened session, seconded by Commissioner Harper and unanimously carried.

**CONSENT AGENDA**

*Budget Amendments*

Craven County Finance Officer, Rick Hemphill, submitted the following budget amendments for the Board’s approval. Commissioner Sampson moved for their approval, seconded by Commissioner Sisk and unanimously carried in a roll call vote.

*Non Departmental*

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-0000-399-01-00	\$3,850.00	101-0560-400-40-98	\$3,850.00
Fund Balance		Cable TV Audit	
TOTAL	\$3,850.00	TOTAL	\$3,850.00

**Justification:** Budget \$3,850 for the Howell Group to audit franchise fees. Cox selling to Cebridge \$3,000. Time Warner is \$850. Howell will be paid 10% of fees which are paid back to the County as a result of the audit. Additional fee revenue will be budgeted at that time.

*Non Departmental/Juvenile Restitution*

565-0000-348-19-00	\$(201.00)	565-7500-500-11-01	\$2.00
Juv Rest		Fica	
		565-7500-550-11-04	\$(34.00)
		W/C	
		565-7500-500-40-47	\$(169.00)
		Restitution	
		565-7500-500-46-0	\$(335.00)
		Insurance	
		565-7500-500-46-20	\$335.00
		Emp Insurance	

101-0564-348-10-00	\$(16.00)	101-0564-450-91-01	\$(16.00)
Comm for Children		Comm for Children	
101-0564-348-12-00	\$(38.00)	101-0564-450-91-03	\$(38.00)
Ct Ref Youth		Ct Ref Youth	
101-0564-348-15-00	\$(383.00)	101-0564-450-91-05	\$(383.00)
Structured Day		Structured Day	
101-0564-348-46-00	\$(19.00)	101-0564-450-91-46	\$(19.00)
UCP Respite		UCP Respite	
101-0564-348-50-00	\$(240.00)	101-0564-450-91-04	\$(240.00)
Resolve		Resolve	
101-0564-348-56-00	\$(211.00)	101-0564-450-91-56	\$(211.00)
UCB HBT		UCB HBT	
101-0564-348-60-00	\$(105.00)	101-0564-450-91-06	\$(105.00)
Tau		Tau	
101-0564-348-65-00	\$(44.00)	101-0564-450-91-65	\$(44.00)
Teen Court		Teen Court	
TOTAL	\$(1,257.00)	TOTAL	\$(1,257.00)

**Justification:** Budget the across the Board decrease for the Department of Juvenile Justice and Delinquency Program as requested by the State in the amount of \$1,257 as well as fund transfers for Juvenile Restitution to cover insurance expenses.

#### ***Public Buildings***

101-0000-399-01-00	\$400,000.00	101-1201-400-73-05	\$400,000.00
Fund Balance		Land	
TOTAL	\$400,000.00	TOTAL	\$400,000.00

**Justification:** Purchase land adjacent to Creekside Park/Airport

#### ***Sheriff/VIPER 2005***

101-2017-348-89-00	\$50,000.00	101-2017-410-73-01	\$50,000.00
Viper 2005		C/O Equip	
TOTAL	\$50,000.00	TOTAL	\$50,000.00

**Justification:** Homeland Security Grant awarded by the State to interface 5 control stations to the VIPER radio network and the County Motorola emergency dispatch console.

#### ***Health/WIC Client Services***

101-6010-349-03-00	\$3,827.00	101-6010-440-25-00	\$1,100.00
State Revenue		Travel/Training	
		101-6010-440-32-08	\$500.00
		Medical Supplies/Drugs	
		101-6010-440-32-40	\$2,227.00
		Other Supplies	
TOTAL	\$3,827.00	TOTAL	\$3,827.00

**Justification:** Additional revenue based on increase in cost per participant. (Base caseload x \$0.25 increase x six months).

#### ***DSS 7291 Mandated Services***

101-7291-349-32-00	\$371.00	101-7291-450-23-03	\$371.00
Energy		CP&L	

TOTAL	\$371.00	TOTAL	\$371.00
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**Justification:** Additional funding received from the State for CP&L. Funds are 100% State, no County match required.

***DSS 7291 Mandated Services***

101-7291-349-32-00	\$17,345.00	101-7291-450-23-04	\$17,345.00
Energy		CIP	
TOTAL	\$17,345.00	TOTAL	\$17,345.00

**Justification:** Additional funds received from the State for Crisis Intervention Program. Funds are 100% Federal, no match.

***Tax Releases and Refunds***

Craven County Tax Administrator, Ronnie Antry, submitted the following tax releases and refunds for the Board's approval. Commissioner Sampson moved for their approval, seconded by Commissioner Sisk and unanimously carried in a roll call vote.

***Credits***

TAXPAYER NAME	TICKET#	AMOUNT
BENNETT, PHILLIP MURRY & DONNA TAGGED VEHICLE	2005-0004112	\$3.23
FILLINGAME, GELEA M PROPERTY VACANT	2005-0017424	\$32.00
FOSKEY, SAMUEL ISAAC JR & LEON DWELLING VACANT FOR 2 YEARS	2005-0018248	\$32.00
JONES, TERRI ROUSE & DUFFY RAY DID NOT OWN 01/01/2005	2005-0091286	\$352.72
LASSITER, MOSES D DOUBLE LISTED WITH ACCT #4284005	2005-0031327	\$30.05
LEACH, CHINA PROPERTY VACANT	2005-0031548	\$32.00
LEACH, CHINA ANN MCCABE PROPERTY VACANT	2005-0031549	\$32.00
NEW BERN-CITY OF VACANT PROPERTY	2005-0090297	\$32.00
VANWINKLE, MARSHALL III & BRE DOUBLE BILLED FOR 2005	2005-0091320	\$60.63

9 – CREDIT MEMO (S)      \$606.63

***Refunds***

AIRGATE PSC INC CORRECTING APPRAISAL ERROR	2005-0000390	\$384.99
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000391	\$317.30

RG010306	APPROVED	
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000392	\$310.00
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000393	\$390.40
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000394	\$357.08
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000395	\$483.84
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000396	\$315.29
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000397	\$501.29
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000398	\$338.65
AIRGATE PCS INC CORRECTING APPRAISAL ERROR	2005-0000399	\$20.13
HAGAN, DEBRA L PROPERTY VACANT	2005-0022262	\$32.00
11 – REFUND (S)		\$3,450.97

*Schools Project Reimbursement Resolution*

County Finance Officer, Rick Hemphill, submitted the following reimbursement resolution for the school project, allowing reimbursement of monies spent to be paid from financing at a later time. Commissioner Sampson moved for adoption of the reimbursement resolution, seconded by Commissioner Sisk and unanimously carried in a roll call vote.

**RESOLUTION OF THE  
BOARD OF COMMISSIONERS OF CRAVEN COUNTY  
EXPRESSING INTENT TO ADVANCE FUNDS FOR AN  
ELEMENTARY SCHOOL PROJECT**

WHEREAS, the Board of Commissioners of Craven County have agreed to use up to \$1,000,000 of funds from the Debt Service Fund Balance and/or Capital Reserve Fund of Craven County to engage an architect and to purchase the property for the school until such time as permanent financing is obtained through an installment finance contract or other financing method, in an amount not to exceed \$12,000,000 for this project, is in place; and

WHEREAS, it is anticipated that there may be grants, an installment financing not to exceed \$12,000,000 and other financing available at a later date; and

WHEREAS, the Board desires to have the said funds so advanced from the Debt Service Fund Balance and/or Capital Reserve Fund for the projects to be eligible for reimbursement because of grants, installment financing, or other financing that may be available in the future.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Craven County that it expresses its intent to appropriate funds from the Debt Service Fund Balance and/or Capital Reserve Fund for the purpose of purchasing the land, design and engineering for the school project and adopts this resolution

expressing its intent to apply for and obtain reimbursement for said funds so advanced as funds become available through grants, financing not to exceed \$12,000,000 for this project or other financing.

Adopted this 3 day of January, 2006.

*Military Family Resolution*

The Board was requested to adopt the following resolution recognizing the Family of Sergeant Ronald A. Beville, Jr. as Military Family of the Quarter. Commissioner Sampson moved for adoption of the following resolution, seconded by Commissioner Sisk and unanimously carried in a roll call vote.

**RESOLUTION  
RECOGNIZING THE FAMILY OF  
SERGEANT RONALD A. BEVILLE, JR.  
AS MILITARY FAMILY OF THE QUARTER**

**WHEREAS**, Sergeant Ronald A. Beville, Jr. serves as a KC-130K Crew Chief and Maintenance Controller with the Marine Aerial Refueler Transport Squadron 252; and

**WHEREAS**, Sergeant Beville has displayed a wealth of knowledge and experience in aircraft systems and maintenance practices, which has made him invaluable to his unit, and resulted in his designation as Crew Chief Instructor; and

**WHEREAS**, Sergeant Beville, while performing his duties in an exemplary manner, still finds time to become involved in the life of the local community, where he and his wife, Taryn, and their sons, Ronald and Christian are active with Broad Creek Christian Church; and

**WHEREAS**, Sgt and Mrs. Beville, during their service as youth mentors, have counseled more than 45 junior and senior high school students on ethical and moral issues, and have led bi-weekly bible studies and countless other recreational and spiritual activities.

**NOW, THEREFORE, BE IT RESOLVED** that the Craven County Board of Commissioners commends the family of Sergeant Ronald A. Beville, Jr. for their example to the youth of the community, and expresses appreciation for their contributions on behalf of the citizens of Craven County.

Adopted this 3<sup>rd</sup> day of January, 2006.

**PETITIONS OF CITIZENS**

*Tenise Gooding*

Ms. Gooding of 417 Rocky Run Road stated that her objectives for appearing before the Board were to advise the Board of current conditions at the Rocky Run playground, to present a proposal for improvement and a proposed budget, to present petitions from citizens in the area, and to seek the Board's support in making improvements to the park. She stated that according to the Recreation Director, \$40,000 to \$50,000 would need to be allocated to make the desired improvements to the park. Addition of restroom facilities would increase the estimate to approximately \$100,000. It was the Board's consensus that maintenance issues at the park could be addressed immediately; however, replacements and upgrades of equipment would need to be considered at budget time.

*Ray Griffin*

Rev. Griffin presented a proposed design for a Ten Commandments monument on the grounds of the courthouse. He stated that a six to seven foot plot would be necessary to accommodate the proposed design. He advised the Board that there would be no cost to the County, that the citizens requesting placement of the monument would pay for and maintain the monument, including any permit or other fees that would be necessary.

Commissioner Allen requested a written opinion from County Attorney, Jim Sugg, concerning the request and moved that the County Attorney be so directed. Commissioner Sampson seconded the motion to direct the attorney to develop a written opinion on the legal issues relative to the request, which was unanimously carried.

*Charles Simmons*

Mr. Simmons requested to defer his petition due to incomplete information.

### **ELECTIONS DEPARTMENT MATTERS**

In follow-up to a presentation at the Board's meeting on December 19, Director of Elections, Tiffiney Miller, presented the following resolution recommending the acquisition of new voting equipment. The resolution and recommendation were presented for informational purposes only. Ms. Miller indicated that she would bring this before the Board for action at its next meeting.

### **CRAVEN COUNTY BOARD OF ELECTIONS**

#### **STATE OF NORTH CAROLINA COUNTY OF CRAVEN**

#### **RESOLUTION TO RECOMMEND THE PURCHASE OF VOTING EQUIPMENT**

WHEREAS, the Craven County Board of Elections has the authority and duty to recommend a voting system of a type, make, and model approved certified by the State Board of Elections for use in some or all voting places in the county at some or all elections in accordance with G.S. 163-165.9; and

WHEREAS, the Craven County Board of Elections has witnessed a demonstration, in the county or at a site designated by the State Board of Elections, of the type of voting system being recommended and also witnessed a demonstration of at least one other type of voting system certified by the State Board of Elections;

WHEREAS, the State Board of Elections and the Office of Information Technology Services has a Statewide Term Contract with certified vendors;

WHEREAS, grants from the HAVA Election Fund may be used by the County Boards of Election for purchasing voting equipment from a certified vendor and the County is entitled to receive up to \$ 312,000.00 from the HAVA Election Fund based on the formula of \$12,000.00 per precinct, \$37,931.00 per One-Stop sites, plus \$1.00 for each voter that turned out in the 2004 presidential election but not less than \$10,000.00 or more than \$100,000.00;

THEREFORE BE IT RESOLVED that the Craven County Board of Elections hereby recommends the following certified voting equipment to the Board of County Commissioners;

Voting Type: M100 Optical Scanner, M650 Optical Scanner, iVotronic DRE ADA and iVotronic DRE  
Vendor: Election System's & Software  
Estimated Cost: \$450,000.00

This the 20<sup>th</sup> day of December, 2005.

### **CRAVEN REGIONAL AIRPORT AUTHORITY REQUEST**

The Board considered a letter from the Airport Authority requesting that the County implement a "Compatible Land Use Plan in the area around the airport". Mr. James Creech, Chairman of the Airport Authority, requested that the Board investigate the development of land use controls around the airport, explaining concerns for the airport's

ability to continue to provide the desired level of service in the face of growth and development in Township 7. There are encroachment issues at stake that would affect the safety of the airport's operations. Planning Director, Don Baumgardner, presented a draft moratorium ordinance for the Board's consideration to impose while staff studies and begins developing land use regulation alternatives. He advised that a public hearing is necessary to consider imposing a moratorium on development. Commissioner Brown moved to set a public hearing on the proposed moratorium on development for January 17, 2006 at 9:00 a.m., seconded by Commissioner Allen and unanimously carried.

### **PURCHASE OF PROPERTY ADJACENT TO CREEKSIDE PARK**

County Attorney, Jim Sugg, announced that the Board had discussed in closed session acquisition of property adjacent to Creekside Park and the airport, which impacts land use relative to the airport. He stated that the owner, Broadway Land & Timber, LLC, offered to allow the County to purchase the twenty-four acre parcel for \$384,159.43. Mr. Sugg announced that action had been taken in closed session to enter into a contract with Mr. Broadway. The transaction is anticipated to be closed within the next week. He indicated that a \$400,000 appropriation from fund balance would be needed to cover the purchase along with any fees that would be necessary to conclude the transaction. Commissioner Brown moved to appropriate \$400,000, as requested from fund balance, seconded by Commissioner Sisk and unanimously carried in a roll call vote.

### **APPOINTMENTS**

#### *Health Board*

The Board considered a deferred request for appointments to the expiring terms of Arabelle Bryant and Vincent Bowers as citizen representatives to the Health Board. Commissioner Morris nominated Ms. Bryant and Mr. Bowers. Commissioner Brown nominated Wiley Avery. In a roll call vote, Ms. Bryant received seven (7) votes, Mr. Bowers received four (4) votes and Mr. Avery received three (3) votes, with Ms. Bryant and Mr. Bowers being reappointed.

#### *Farmers Market Board*

It was the consensus of the Board to further defer this appointment.

#### *Down East RPO*

The Board received a letter from the Down East RPO indicating that the term of Mayor Tom Bayliss as a municipality representative is due to expire. Commissioner Sampson nominated Mayor Bayliss for reappointment. There were no additional appointments and Mayor Bayliss was reappointed by acclamation.

### **COUNTY MANAGER'S REPORT**

#### *IRS Mileage Reimbursement Rate*

County Manager, Harold Blizzard, advised the Board that a new Internal Revenue Service (IRS) mileage rate was put into effect on January 1, 2006. The new rate is 44.5 cents per mile, which is a decrease from the 48.5 cents a mile that was adopted in the fall due to the escalating gas prices. On October 3, 2005 the County Board increased the Craven County mileage rate to 48.5 cent. He recommended that the County's mileage reimbursement be lowered to 44.5 cents per mile to reflect the newly instituted IRS rate. Commissioner Allen moved to approve the recommendation, seconded by Commissioner Sisk and unanimously carried.

#### *Cable Television Compliance Audit Proposal*

Mr. Blizzard presented a letter informing Craven County that Cox Communications, Inc. has agreed to sell its cable television property in Craven County to Cebridge Communications. He also provided a letter and proposed service agreement from The Howell Group, LLC. dba Telecommunications Consulting Associates. The Howell

Group is seeking to assist Craven County with the transfer of Cox's operations to Cebridge and to conduct an audit of the franchise fees. The Howell Group's offer provides this service for a "not-to-exceed" fee of \$3,000, plus 10% of any funds that are paid back to the County as a result of the audit. In addition, the company proposes to audit the fees of Time Warner Cable Co. for an additional \$850, plus 10% of recoveries. Mr. Blizzard recommended that the Board approve the cable consultant service agreement and appropriate \$3,850 from fund balance to pay for this service. Commissioner Sisk moved to authorize the manager to proceed with the contract and appropriation of \$3,850 from fund balance, seconded by Commissioner Harper and unanimously carried in a roll call vote.

*Sun Journal Error*

Mr. Blizzard brought to the Board's attention an error reported in the *Sun Journal* indicating that County taxes could be paid without penalty until Friday, January 6, 2006. The correct date is January 5, 2006. He advised the Board that the *Sun Journal* had agreed to print a correction.

*Purchasing Property for a Proposed Elementary School*

Mr. Blizzard recommended that study sessions be scheduled to develop recommendations for the Board of Education regarding the next step for school projects. He asked Commissioners to check their individual calendars and propose dates as soon as possible after the next regular session.

*Closed Session*

Mr. Blizzard advised the Board that a closed session would be requested at the end of the meeting to discuss a personnel matter.

**COMMISSIONERS' REPORTS**

*Commissioner Staton* encouraged citizens to take advantage of the County's assistance in the disposal of abandoned vehicles.

*Commissioner Allen* announced an upcoming community planning summit being conducted by the City of Havelock.

At 8:30 p.m. Commissioner Allen moved to go into closed session, as requested, pursuant to NCGS 143.318.11(a)(6) to discuss a personnel matter, seconded by Commissioner Staton and unanimously carried.

At 8:50 p.m. the Board returned to regular session. County Attorney, Jim Sugg, announced that no action had been taken in closed session that needed to be reported.

At 8:52 p.m. Commissioner Brown moved to adjourn, seconded by Commissioner Sampson and unanimously carried.

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Chairman Perry L. Morris  
Craven County Board of Commissioners

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Gwendolyn M. Bryan  
Clerk to the Board